

House Bill 668

By: Representatives Knox of the 24th, Reese of the 98th, Graves of the 12th, and Coan of the 101st

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to security deposits, so as to change and provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to security deposits, is amended by revising Code Section 44-7-30, relating to definitions, as follows:

"44-7-30.

As used in this article, the term:

(1) 'Nonrefundable fee' means any money or other consideration paid or given by a tenant to a landlord under the terms of a residential rental agreement which the parties agreed would not be refunded.

~~(1)~~(2) 'Residential rental agreement' means a contract, lease, or license agreement for the rental or use of real property as a dwelling place.

~~(2)~~(3) 'Security deposit' means money or any other form of security given after July 1, 1976, by a tenant to a landlord which shall be held by the landlord on behalf of a tenant by virtue of a residential rental agreement and shall include, but not be limited to, damage deposits, advance rent deposits, and pet deposits. ~~The term 'security deposit' does not include earnest money or pet fees~~ Such term shall not include nonrefundable fees, or money or other consideration which are not to be returned to the tenant under the terms of the residential rental agreement or which were to be applied toward the payment of rent or reimbursement of services or utilities provided to the tenant."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.